FORM C

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT
CIVIL APPEAL PRE-ARGUMENT STATEMENT

1. SEE NOTICE ON REVERSE. 2. PLEASE TYPE OR PRINT. 3. ATTACH ADDITIONAL PAGES IF NECESSARY.

Title of Case:	District or Agency	Judge
	Date Filed in District Court or Agency	District Court Docket No.
	Date Notice of Appeal Filed	Is this a Cross Appeal? ☐ Yes ☐ No

Attorney(s) for	Name	Address	Telephone
Appellant ☐ Plaintiff ☐ Defendant			
Appellee ☐ Plaintiff ☐ Defendant			

Has Transcript Been Prepared?	Approx. Number of Transcript Pages	Number of Exhibits	Has this matter been before this Court previously? ☐ Yes ☐ No If Yes, state Case Name: Docket No.: Citation:

BRIEF DESCRIPTION OF NATURE OF ACTION AND RESULT BELOW:

ISSUES PROPOSED TO BE RAISED ON APPEAL:

A. JURISDICTION

1. Federal

☐ U.S. a party
☐ Federal question (U.S. not a party)
☐ Diversity
☐ Other (specify): _____

2. Appellate

☐ Final Decision below
☐ Interlocutory decision appealable as of right
☐ Order Certified by District Judge (specify): _____
☐ Other (specify): _____

IMPORTANT. COMPLETE AND SIGN REVERSE SIDE OF THIS FORM.

FORM C

B. DISTRICT COURT DISPOSITION (Check as many as apply)

1. Stage of Proceedings	2. Type of Judgment/Order Appealed	3. Relief
☐ Pre-trial ☐ During trial ☐ After trial	☐ Default judgment ☐ Dismissal/jurisdiction ☐ Dismissal/merit ☐ Summary judgment ☐ Declaratory judgment ☐ Judgment / court decision ☐ Jury verdict ☐ Judgment NOV ☐ Directed verdict ☐ Other (specify):	☐ Damages: ___ Sought: $_____ ___ Granted: ___ Denied: $_____ ☐ Injunctions: ___ Preliminary ___ Permanent ___ Granted ___ Denied

C. NATURE OF SUIT (Check as many as apply)

1. Federal Statutes

☐ Antitrust
☐ Bankruptcy
☐ Banks/Banking
☐ Civil Rights
☐ Commerce, routes and tariffs
☐ Commodities
☐ Other (specify):
☐ Communications
☐ Consumer Protection
☐ Copyright ☐ Patent
☐ Trademark
☐ Election
☐ Energy
☐ Environmental
☐ Freedom of Information
☐ Immigration
☐ Labor
☐ OSHA
☐ Securities
☐ Soc. Security
☐ Tax

2. Torts

☐ Admiralty/ Maritime
☐ Assault / Defamation
☐ FELA
☐ Product Liability/Warranty
☐ Other (Specify):

3. Contracts

☐ Admiralty/ Maritime
☐ Arbitration
☐ Commercial
☐ Employment
☐ Insurance
☐ Negotiable Instruments
☐ Other (Specify):

4. Prisoner Petitions

☐ Civil Rights
Habeas Corpus
___ 2254
___ 2255
☐ Mandamus
☐ Parole
☐ Vacate Sentence
☐ Other

5. Other

☐ Forfeiture/Penalty
☐ Real Property
☐ Treaty (specify): _____
☐ Other (specify): _____

6. General

☐ Arbitration
☐ Attorney Disqualification
☐ Class Action
☐ Counsel Fees
☐ Shareholder Derivative
☐ Transfer

7. Will appeal raise constitutional issue?
☐ Yes ☐ No

Will appeal raise a matter of first impression?
☐ Yes ☐ No

Is any matter relative to this case pending below? ☐ Yes ☐ No (specify):

To your knowledge, is there any case now pending or about to be brought before this Court or any other court or administrative agency which
(A) arises from substantially the same case or controversy as this appeal? ☐ Yes ☐ No
(B) involves an issue that is substantially the same, similar, or related to an issue in this appeal? ☐ Yes ☐ No
If yes, state whether ☐ "A" or ☐ "B" or ☐ both, and provide:

Case Name:	Docket No.	Citation:	Court or Agency:

Name of Appellant:

Date:	Signature of Counsel of Record

NOTICE TO COUNSEL

Once you have filed your Notice of Appeal with the District Court or the Tax Court and have paid the $5 filing fee, you have only ten (10) days in which to docket your appeal. You must take the following steps within those ten (10) days:

1. Complete this Civil Appeal Pre-Argument Statement (Form C); serve it upon all parties, and file it with the Clerk of the Court of Appeals.
2. File the Court of Appeals Transcript Information/Civil Appeal Form (Form D) with the Clerk of the Court of Appeals.
3. Pay the $100 docketing fee to the Clerk of the United States District Court, unless you are authorized to prosecute the appeal without payment.

IF YOU DO NOT COMPLY WITH THESE REQUIREMENTS WITHIN TEN (10) DAYS, YOUR APPEAL WILL BE DISMISSED.
(NOTE: This form is not required of non-attorney *pro se* litigants.)
SEE THE CIVIL APPEALS MANAGEMENT PLAN OF THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT.

APPENDIX C

APP. C2

FORM D

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

TRANSCRIPT INFORMATION
CIVIL APPEAL

To be completed by counsel for appellant in civil appeal from district court with in ten days after filing notice of appeal.

THIS SECTION TO BE COMPLETED BY COUNSEL FOR APPELLANT		
CASE TITLE	DISTRICT	DOCKET NUMBER
	JUDGE	APPELLANT
	COURT REPORTER	COUNSEL FOR APPELLANT

TRANSCRIPT ORDER - Must be completed

DESCRIPTION OF PROCEEDINGS FOR WHICH TRANSCRIPT IS REQUIRED (INCLUDE DATES). I am ordering a transcript. I am not ordering a transcript Reason: ☐ Daily copy is available ☐ Other - Attach explanation	METHOD OF PAYMENT ☐ Funds ☐ CJA Voucher (CJA 21)
☐ PREPARE TRANSCRIPT OR PRE-TRIAL PROCEEDINGS ☐ PREPARE TRANSCRIPT OF TRIAL ☐ PREPARE TRANSCRIPT OF OTHER POST-TRIAL PROCEEDINGS ☐ PREPARE (Other: Specify)	DELIVER TRANSCRIPT TO: (NAME, ADDRESS, TELEPHONE)

I certify that I have made satisfactory arrangements with the court reporter for payment of the cost of the transcript. (FRAP 10(b)). I understand that unless I have already ordered the transcript, I shall order its preparation at the time required by the Civil Appeals Management Plan, F.R.A.P. and the local rules.

COUNSEL'S SIGNATURE	DATE

COURT REPORTER ACKNOWLEDGMENT (To be completed by court reporter. Return one copy to: Clerk of Court, U.S. Court of Appeals, Second Circuit)

DATE ORDER RECEIVED	ESTIMATED COMPLETION DATE	ESTIMATED NUMBER OF PAGES
SIGNATURE OF COURT REPORTER		DATE

APP. D1